

MONDAY, JANUARY 25, 1999

At 9:32 a.m., the court met in the Library & Courts Building for a continuation of court calendar session.

PRESENT:           BLEASE, Acting Presiding Justice  
                  CALLAHAN, Associate Justice  
                  PUGLIA, Associate Justice

Bailiff: Conrad  
Calendar called.

Civil           BRUCE LEWIS ET AL  
No.            v.  
C028564       JERRY DREW ET AL.

Cause called. Heidi Hunter argued for Plaintiff-Appellant Bruce Lewis and Plaintiff-Appellant Karen Lewis. Paul H. Greisen argued for Defendants-Respondents. Cause submitted.

Court adjourned at 9:48 a.m., until 9:30 a.m., Tuesday, January 26, 1999

\*\*\*\*\*

MONDAY, JANUARY 25, 1999 CONTINUED

Civil            LUCKY STORES, INC., ET AL.  
No.                v.  
C028910        SAN JAOQUIN COUNTY SUPERIOR COURT  
                  MARYANTHIA WILLHITE

Let a writ a mandate issue directing the respondent court to vacate its order denying summary judgment, enter a new order granting summary judgment, and enter judgment in behalf of the petitioners. The stay previously issued, having served its purpose, shall dissolve on the date this opinion is final. The petitioners shall recover their costs.

DAVIS, J.

We concur:            BLEASE, Acting P.J.  
                             SIMS, J.

Crim.            THE PEOPLE                            (Not for Publication)  
No.                v.  
C029530        STEPHEN DWIGHT CARTER

The judgment of conviction is affirmed. The superior court is directed to cause an amended abstract of judgment to be prepared showing defendant received a five-year prison sentence for transportation of phencyclidine (Health & Saf. Code, § 11379.5, subd. (a)) and not for resisting arrest (Pen. Code 148, subd. (a)). a copy of the amended abstract of judgment shall be forwarded to the Director of Corrections.

DAVIS, Acting P.J.

We concur:            NICHOLSON, J.  
                             CALLAHAN, J.

Crim.            THE PEOPLE                            (Not for Publication)  
No.                v.  
C029563        LESLIE STREETER RICHARD

The judgment is affirmed.

NICHOLSON, J.

We concur:            BLEASE, Acting P.J.  
                             SIMS, J.

MONDAY, JANUARY 25, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C029696 ROBERT JACKSON  
 The judgment is affirmed.  
 NICHOLSON, J.  
 We concur: BLEASE, Acting P.J.  
 SIMS, J. MORRISON, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C029172 WILLIAM PHILLIP McCANLESS  
 The judgment is affirmed.  
 CALLAHAN, J.  
 We concur: DAVIS, Acting P.J.  
 NICHOLSON, J.

Juvenile In re TEVAIS W., a Person Coming Under the Juvenile Court Law.  
 No. THE PEOPLE (Not for Publication)  
 C029472 v.  
 TEVAIS W.  
 The judgment is affirmed.  
 CALLAHAN, J.  
 We concur: DAVIS, Acting P.J.  
 MORRISON, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C029298 LORETTA D. SAMS  
 The judgment is affirmed.  
 CALLAHAN, J.  
 We concur: DAVIS, Acting P.J.  
 MORRISON, J.

TUESDAY, JANUARY 26, 1999

Crim. THE PEOPLE  
No. v.  
C024866 HARRY JAMES GUIDRY  
BY THE COURT:

Appellant's petition for rehearing is denied.

Dated: January 26, 1999

RAYE, Acting P.J.

At 9:30 a.m., the court met in the Library & Courts Building for a continuation of court calendar session.

PRESENT: DAVIS, Acting Presiding Justice  
NICHOLSON, Associate Justice  
HULL, Associate Justice

Bailiff: Rios.  
Calendar Called.

Crim. THE PEOPLE  
No. v.  
C029484 THOMAS JAMES BELL

Cause called. Bill Davies, Central California Appellate Program argued for Defendant-Appellant with additional citations. Wanda Hill Rouzan, Deputy Attorney General, argued for Plaintiff-Respondent. Cause submitted.

At 9:45 a.m., court recessed. At 9:59 a.m., court reconvened with the same panel except Associate Justice Puglia in place of Associate Justice Hull.

Civil PAUL J. WERNER  
No. v.  
C027840 BOARD OF PSYCHOLOGY ET AL.

Cause called. Richard F. Antoine argued for Plaintiff-Appellant. Mara Faust, Deputy Attorney General argued for Defendants-Respondents. Cause submitted.

TUESDAY, JANUARY 26, 1999 CONTINUED

At 10:30 a.m., court recessed. At 10:33 a.m., court reconvened with the same panel except Associate Justice Hull in place of Associate Justice Nicholson.

Civil           STATE FARM FIRE & CASUALTY COMPANY  
No.             v.  
C028694       GARY P. PIETAK

Cause called. James Ireijo argued for Defendant-Appellant. Douglas K. Wood, of Rudloff, Wood, & Barrows argued for Plaintiff-Respondent. Cause submitted.

At 10:50 a.m., court recessed. At 10:53 a.m., court reconvened with the same panel except Acting Presiding Justice Blease in place of Associate Justice Hull.

Civil           MARY I. GUILD  
No.             v.  
C028467       WORKERS' COMPENSATION APPEALS BOARD ET AL.

Cause called. Thomas L. plumb argued for Petitioners. No appearance was made on behalf of Respondent Workers' Compensation Appeals Board as argued having been previously waived and approved. Brian A. Hill did not appear for Respondent Bank of America. Cause submitted.

At 1055 a.m., court recessed. At 11:01 a.m., court reconvened with Presiding Justice Scotland, Associate Justice Davis, and Associate Justice Hull.

Civil           ALLYN TAR BUSH ETC. ET AL.  
No.             v.  
C028257       WORKERS' COMPENSATION APPEALS BOARD ET AL.

Cause called. Thomas K. Ledgerwood argued for Petitioners. Don E. Clark argued for Respondents Employment Development Department et al. Cause submitted.

TUESDAY, JANUARY 26, 1999 CONTINUED

At 11:20 a.m., court recessed. At 2:07 p.m., court reconvened with Acting Presiding Justice Davis, Associate Justice Nicholson, and Associate Justice Callahan.

Civil No. C028763	<p>MICHAEL DOUGLAS</p> <p>v.</p> <p>CIGNA FIRE UNDERWRITERS INSURANCE COMPANY</p> <p>Cause called. Edward Jaszewski argued for Plaintiff-Appellant. Robert B. Stringer of Cyril &amp; Crowley argued for Defendant-Respondent. Cause submitted.</p>
-------------------------	---

\*\*\*\*\*

Crim. No. C027668	<p>THE PEOPLE (Not for Publication)</p> <p>v.</p> <p>CHARLOTTE LEETISHA SHAVER</p> <p>The judgment is affirmed.</p>	<p>CALLAHAN, J.</p>
	<p>We concur: SIMS, Acting P.J. NICHOLSON, J.</p>	

TUESDAY, JANUARY 26, 1999 CONTINUED

Civil            KATHLEEN ANDREWS ET AL.  
No.                v.  
C027502        CHEMICAL MORTGAGE COMPANY ET AL.  
BY THE COURT:

Pursuant to the written stipulation of counsel, the appeal filed on September 8, 1997, is dismissed. It is further ordered pursuant to said stipulation that the remittitur issue forthwith and the parties will bear their own costs on appeal. The stay order filed by this court on December 22, 1997, is vacated as moot.

Dated:            January 26, 1999

SCOTLAND, P.J.

Crim.            THE PEOPLE                            (Not for Publication)  
No.                v.  
C029351        JULIO JOHN LUNA, JR.

The judgment of conviction is affirmed. The cause is remanded to the trial court for computation of defendant's presentence credits.

DAVIS, Acting P.J.

We concur:            MORRISON, J.  
                                 CALLAHAN, J.

Civil            Estate of MARY A. PETER, Deceased  
No.                CHARLENE MOORHEAD ET AL.  
C027568        v.                            (Not for Publication)  
FRANK A. PETER II ET AL.

The order (statement of decision) filed July 15, 1997, is modified by striking the sentence "Attorney Robert W. Islip's fees are not to be reduced as a result of this hearing." So modified, the order is affirmed.

Respondents shall recover their costs on appeal.

CALLAHAN, J.

We concur:            DAVIS, Acting P.J.  
                                 RAYE, J.

TUESDAY, JANUARY 26, 1999 CONTINUED

Civil            WILLIAM SCHALTZ ET AL.  
No.                v.                    (Certified for Publication)  
C028629        FRANCHISE TAX BOARD

The judgment is reversed. The parties stipulated that the two issues regarding dischargeability were the only issues. They filed cross-motions for summary judgment regarding these two issues based upon a joint statement of stipulated material facts. Because of this posture, we remand to the trial court for it to grant the Board's motion for summary judgment. Each party shall pay its own costs. (CERTIFIED FOR PUBLICATION)

DAVIS, j.

We concur:            BLEASE, Acting P.J.  
                             MORRISON, J.

civil            RAMZI SADEK ET AL.                    (Not for Publication)  
No.                v.  
C028146        BRENDA NEWTON

The judgment is affirmed.

CALLAHAN, J.

We concur:            DAVIS, Acting P.J.  
                             RAYE, J.

Civil            SANDRA KAY RICHTER                    (Not for Publication)  
No.                v.  
C028652        AVIS CATHERINE RICHTER ET AL.

The judgment is reversed and the matter remanded for further proceedings consistent with the views expressed in this opinion. Wife shall

BLEASE, Acting P.J.

We concur:            CALLAHAN, J.  
                             PUGLIA, P.J.



TUESDAY, JANUARY 26, 1999 CONTINUED

Juvenile      In re RALPH B., a Person Coming Under the Juvenile Court Law.  
No.              THE PEOPLE  
C030520      v.  
                 RALPH B.  
                 BY THE COURT:

Pursuant to written request of appellant, the appeal filed August 27, 1998, is dismissed. It is further ordered that the remittitur issue forthwith. (See Cal. Rules of Court, rule 19(b).)

Dated:              January 26, 1999

SCOTLAND, P.J.

WEDNESDAY, JANUARY 27, 1999

Crim.              THE PEOPLE                      (Not for Publication)  
No.                  v.  
C024133      TIMOTHY SCOTT LEDFORD

The judgment is modified to vacate the stay of the four year term imposed for enhancements, thus increasing defendant's aggregate term to 29 years to life. As modified the judgment is affirmed. We direct that the Superior Court prepare an amended abstract of judgment to reflect the modification and send a certified copy of the same to the Department of Corrections.

PUGLIA, J.

We concur:              NICHOLSON, Acting P.J.  
                                 MORRISON, J.

Crim.              THE PEOPLE                      (Not for Publication)  
No.                  v.  
C027645      JAVIER ANTONIO ROMERO

The judgment (order granting probation is affirmed.)

PUGLIA, J.

We concur:              BLEASE, Acting P.J.  
                                 CALLAHAN, J.

WEDNESDAY, JANUARY 27, 1999 CONTINUED

Civil            BRIAN FRY ETC. ET AL.            (Not for Publication)  
No.                v.

C026533        BEAR VALLEY SKI COMPANY, INC. ET AL.

The judgment is affirmed.

PUGLIA, J.

We concur:        BLEASE, Acting P.J.  
RAYE, J.

Civil            THERESA REEVES            (Not for Publication)  
NO.                v.

C027914        PACIFIC GAS AND ELECTRIC COMPANY ET AL.

The judgment is affirmed. PG&E is entitled to its costs on appeal.

PUGLIA, J.

We concur:        MORRISON, Acting P.J.  
HULL, J.

Civil            BRUCE LEWIS ET AL.            (Not for Publication)  
No.                v.

C028564        JERRY DREW ET AL.

The judgment is affirmed.

PUGLIA, J.

We concur:        BLEASE, Acting P.J.  
CALLAHAN, J.

Juvenile        In re AMELIA O. ET AL., Persons Coming Under the Juvenile Court Law.  
No.                DEPARTMENT OF SOCIAL SERVICES

C028561        v.            (Not for Publication)

GINETTE P.

The juvenile court's order is affirmed.

NICHOLSON, J.

We concur:        SCOTLAND, P.J.  
SIMS, J.

Crim.            THE PEOPLE            (Not for Publication)  
No.                v.

C028619        MICHAEL QUINN O'HARE

The judgment is affirmed.

NICHOLSON, J.

We concur:        BLEASE, Acting P.J.  
SIMS, J.

WEDNESDAY, JANUARY 27, 1999 CONTINUED

Civil            MARY I. GUILD            (Not for Publication)  
 No.            v.  
 C028467       WORKERS COMPENSATION APPEALS BOARD AND BANK OF  
                  AMERICA

The order of the Board denying reconsideration is annulled and the matter remanded for further proceedings consistent with the views expressed in this opinion. Petitioner shall recover her costs of this proceeding.

PUGLIA, J.

We concur:       BLEASE, Acting P.J.  
                  DAVIS, J.

Crim.            THE PEOPLE            (Not for Publication)  
 No.            v.  
 C023856       JORDEN WALKER KINNISON

The judgment is reversed and the matter remanded to the trial court with direction to permit defendant, within 30 days of issuance of the remittitur, to withdraw his plea of no contest. If defendant chooses not to do so, the court is directed to reinstate the 11-year sentence to state prison. If defendant withdraws the plea, the court is directed to enter judgment of conviction of second degree murder and an indeterminate term of 15 years to life. (Pen. Code, § 190, subd. (a).) The consecutive term imposed on the enhancement shall remain the same. The court is directed to prepare an abstract of judgment and forward a copy thereof to the Department of Corrections.

PUGLIA, J.

We concur:       NICHOLSON, Acting J.  
                  MORRISON, J.

Crim.            THE PEOPLE            (Not for Publication)  
 No.            v.  
 C029780       ROBERT W. SHELDON, JR.

The judgment is affirmed.

NICHOLSON, J.

We concur:       DAVIS, Acting P.J.  
                  CALLAHAN, J.

WEDNESDAY, JANUARY 27, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C028272 DEXTER MANGARON

The order denying defendant's motion to vacate the judgment is affirmed.

NICHOLSON, J.

we concur: SCOTLAND, P.J.  
 MORRISON, J.

Civil LILLIAN LAWRENCE STREAT  
 No. v. (Not for Publication)  
 C025483 KEN KIPITZKE

The appeal is dismissed. neither party shall recover costs of appeal.

DAVIS, J.

We concur: BLEASE, acting P.J.  
 RAYE, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C026393 ANTONIO GARCIA-ARREDONDE

The judgment is affirmed.

BLEASE, acting P.J.

We concur; DAVIS, J.  
 PUGLIA, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C027537 MATTHEW RANDOLPH BRADEN

the judgment is affirmed.

SIMS, J.

We concur: SCOTLAND, P.J.  
 NICHOLSON, J.

WEDNESDAY, JANUARY 27, 1999 CONTINUED

Civil SMITH & GABBERT, INC.  
 No. v. (Not for Publication)  
 C027130 EL DORADO IRRIGATION DISTRICT  
 SMITH & GABBERT INVESTMENT ENTERPRISE  
 The judgment is affirmed. Plaintiff shall recover its costs on appeal.  
 SIMS, Acting P.J.

We concur: MORRISON, J.  
 CALLAHAN, J.

Civil STEVEN A. STAFFORD (Not for Publication)  
 No. v.  
 C027193 CITY OF SACRAMENTO ET AL.  
 The judgment dated July 9, 1997, is affirmed. Defendants shall  
 recover their costs on appeal.  
 SIMS, J.

We concur: BLEASE, Acting P.J.  
 RAYE, J.

Civil ROBERT V. HOWARD (Not for Publication)  
 No. v.  
 C029232 FOOD BANK OF NEVADA COUNTY ET AL.  
 The judgment is reversed. On remand, the trial court is directed to  
 enter an order granting summary adjudication in favor of defendants on the  
 first cause of action (tortious discharge), the second cause of action (breach  
 of express employment), and the fourth cause of action (age  
 discrimination). The parties shall bear their own costs on appeal.  
 SIMS, Acting P.J.

We concur: DAVIS, J.  
 RAYE, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C027250 RICHARD LONGACRE

The defendant's request for judicial notice are denied. The order  
 requiring defendant to pay costs of his probation is stricken. As modified,  
 the judgment is affirmed.

DAVIS, J.  
 I concur: SCOTLAND, P.J.  
 I concur in the result:  
 BLEASE, J.

WEDNESDAY, JANUARY 27, 1999 CONTINUED

Civil           ALBERT MEZZETTI                           (Not for Publication)  
 No.            v.  
 C028793       MANTECA UNIFIED SCHOOL DISTRICT ET AL.

The judgment (order) is affirmed. Defendants shall receive their costs on appeal.

SIMS, Acting P.J.

We concur:           DAVIS, J.  
                               RAYE, J.

THURSDAY, JANUARY 28, 1999

Civil           Marriage of DALE CINDY and EDWARD NOLAN  
 No.            DALE CINDY NOLAN-DISSELL  
 C031263       v.

EDWARD TERRY NOLAN  
 BY THE COURT:

On the court's own motion, the appeal filed on November 19, 1998, in the matter is dismissed in part as appellant seeks to appeal from two non-appealable orders. Thus, the appeal is dismissed from the September 18, 1998, order denying the motion to disqualify Judge Bradford (see Code Cic. Proc. Section 170.3, subd. (d)), and the appeal is dismissed from September 23, 1998, order "denying motion for new trial or in the alternative, reconsideration "(9 Witkin, Cal. Proc (4th ed. 1997) Appeal, Subsection 123-124, pp. 188-189). This dismissal does not affect the remainder of the appeal.

Dated:           January 28, 1999

SCOTLAND, P.J.

Civil           MICHAEL J. SINGLETON  
 No.            v.  
 C031182       WILLIAM DEPLITCH, ET AL.  
 BY THE COURT:

The court having examined the record on appeal and having determined that the order appealed from is a non-appealable order, the appeal filed November 10, 1998, is dismissed. (See Modica v. Merin (1991) 234 Cal. Ap. 3d 1072.)

Dated:           January 28, 1999

SCOTLAND, P.J.

THURSDAY, JANUARY 28, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C029941 MAISI LAWRENCE ROBINSON

The judgment is affirmed.

NICHOLSON, J.

We concur: DAVIS, Acting P.J.  
 CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C029188 SHARON WYNONA POPPERT

The judgment is affirmed.

DAVIS, Acting P.J.

We concur: NICHOLSON, J.  
 CALLAHAN, J.

Juvenile In re AMBER G., a Person Coming Under the Juvenile Court Law.  
 No. THE PEOPLE (Not for Publication)  
 C029831 V.  
 AMBER G.

The order is affirmed.

BLEASE, Acting P.J.

We concur: SIMS, J.  
 MORRISON, J.

Civil COUNTY OF SACRAMENTO (Certified for Publication)  
 No. v.

C028982 WORKERS' COMPENSATION APPEALS BOARD , and LOU SOUZA

The order of the Board denying reconsideration is annulled. The matter is remanded with directions to grant reconsideration and deny Souza's November 11, 1996 petition for penalty. County shall recover its costs of this proceeding.

PUGLIA, P.J.

We concur: SIMS, Acting P.J.  
 DAVIS, J.

THURSDAY, JANUARY 28, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C029391 DWIGHT PATRICK HORNSBY

The judgment is affirmed.

HULL, J.

We concur: DAVIS, Acting P.J.  
 NICHOLSON, J.

Civil MICHAEL L. BELKE (Not for Publication)  
 No. v.  
 C028718 CH ADMINISTRATION, NC.

The judgment is reversed and the trial court is ordered to enter a new judgment in accordance with this opinion. Plaintiff shall recover damages only for unpaid commissions on spare parts, the Mark Twain Hospital sale, and the Mercy Hospital account that was charged off as bad debt. Plaintiff shall also recover costs, as previously determined by the trial court and reasonable attorney fees for the recovery of these commissions. The parties shall bear their own costs on appeal.

MORRISON, J.

We concur; SIMS, Acting P.J.  
 RAYE, J.

Civil GOLDEN DAY SCHOOLS, INC. (Certified for Publication)  
 No. v.  
 C026767 CALIFORNIA DEPARTMENT OF EDUCATION

The judgment is affirmed.

PUGLIA, P.J.

We concur: BLEASE, Acting P.J.

Juvenile In re HAILEY W., a Person Coming Under the Juvenile Court Law.  
 No. DEPARTMENT OF SOCIAL SERVICES  
 C030755 v. (Not for Publication)

GINA H.

The orders of the juvenile court are affirmed.

NICHOLSON, J.

We concur: DAVIS, Acting P.J.  
 CALLAHAN, J.



THURSDAY, JANUARY 28, 1999 CONTINUED

Civil            GENE WONG ET AL.            (Not for Publication)  
 No.            v.  
 C028154      GLOBE INDEMNITY COMPANY

For the reasons set forth above the judgment is reversed insofar as it dismisses the claim predicated upon the 1979-1985 policies. In all other respects the judgment is affirmed. The parties shall bear their own costs on appeal.

BLEASE, Acting P.J.

We concur:            DAVIS, J.  
                              RAYE, J.

Civil            GLENN D. WILSON ET AL.      (Not for Publication)  
 No.            v.  
 C026875      REGENTS OF THE UNIVERSITY OF CALIFORNIA

The judgment is affirmed.

MORRISON, Acting P.J.

We concur:            CALLAHAN, J.  
                              PUGLIA, J.

Crim.            THE PEOPLE            (Not for Publication)  
 No.            v.  
 C025155      JESSE WARDLAW

The judgment is reversed.

RAYE, J.

We concur:            SIMS, Acting P.J.  
                              MORRISON, J

Crim.            THE PEOPLE            (Not for Publication)  
 No.            v.  
 C027062      EDUARD GENOV

The judgment is affirmed.

NICHOLSON, J.

We concur:            SIMS, Acting P.J.  
                              CALLAHAN, J.

THURSDAY, JANUARY 28, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C024830 RICHARD NER SARVEY  
 the judgment is affirmed.  
 RAYE, J.  
 We concur: DAVIS, Acting P.J.  
 CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C029191 THOMAS PATRICK ELGIN  
 The appeal is dismissed.  
 BLEASE, Acting P.J.  
 We concur: RAYE, J.  
 CALLAHAN, J.

FRIDAY, JANUARY 29, 1999

Civil MICHAEL DOUGLAS (Not for Publication)  
 No. v.  
 C028763 CIGNA FIRE UNDERWRITERS INSURANCE  
 Judgment affirmed.  
 CALLAHAN, J.  
 We concur: DAVIS, Acting P.J.  
 NICHOLSON, J.

Juvenile In re PAMELA R. ET AL., Persons Coming Under the Juvenile Court law.  
 No. EL DORADO COUNTY DEPARTMENT OF SOCIAL SERVICES  
 C029035 v. (Not for Publication)  
 C029544 DIANA R. ET AL.  
 The orders appealed from are affirmed.  
 CALLAHAN, J.  
 We concur: SIMS. Acting P.J.  
 MORRISON, J.

THURSDAY, JANUARY 28, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C026663 PAUL ANTHONY THOMAS

The judgment is affirmed.

CALLAHAN, J.

We concur: SIMS, Acting P.J.  
 NICHOLSON, J.

Civil CONSERVATORSHIP of the Person and Estate of EARL L.  
 No. DENNIS McFALL (Not for Publication)  
 C029261 v.  
 EARL L.

Imposition of the special disability as to entering into contracts is stricken. Otherwise, the judgment (order of reappointment) is affirmed.

MORRISON, J.

We concur: SCOTLAND, P.J.  
 PUGLIA, P.J.

FRIDAY, JANUARY 29, 1999

Crim. THE PEOPLE (Not for Publication)  
 No. v.  
 C026822 RONALD KENNETH MARTIN, JR.

The appeal is dismissed.

CALLAHAN, J.

We concur: SIMS, Acting P.J.  
 NICHOLSON, J.

MAE ELLA ROBERTSON  
v. (Certified for Publication)  
SUPERIOR COURT, SACRAMENTO COUNTY  
PEOPLE OF THE STATE OF CALIFORNIA

Let a peremptory writ of mandate issue commanding respondent superior court to: (1) set aside its order granting the People's motion to videotape defendant's mental status examination; (2) hold a hearing at which defendant shall be given an opportunity to establish that videotaping will hamper the conduct of the examination and prevent a reliable assessment of defendant's mental status; and (3) reconsider said motion consistent with the views expressed in this opinion. Upon the finality of this decision, the stay previously issued is vacated. (CERTIFIED FOR PUBLICATION)

I concur: CALLAHAN, J.  
I dissent: ...

(CERTIFIED FOR PUBLICATION)  
BLEASE, Acting P.J.

Crim.  
No.  
C029665

THE PEOPLE (Not for Publication)  
v.  
BILLY JACK PEBSWORTH  
The judgment is affirmed.

BLEASE, Acting P.J.

We concur:           SIMS, J.  
                                  MORRISON, J.

Crim.  
No.  
C029381

THE PEOPLE (Not for Publication)  
v.  
VINCENT TORRES  
The judgment is affirmed.

MORRISON, J.

We concur:                   DAVIS, Acting P.J.  
  CALLAHAN, J.

## FRIDAY, JANUARY 29, 1999 CONTINUED

Civil                    THOMAS J. RADTKE                    (Not for Publication)  
No.                      v.  
C029193               OFFICE OF ADMINISTRATIVE HEARINGS  
REGISTRAR OF CONTRACTORS ET AL.

The judgment is affirmed.

MORRISON, J.

We concur:           SCOTLAND, P.J.  
PUGLIA, J.

Crim. THE PEOPLE (Not for Publication)  
No. v.  
C028361 SHAWN MICHAEL HAYES  
The judgment is affirmed.  
MORRISON, J.  
We concur: SCOTLAND, P.J.  
PUGLIA, J.

Crim. THE PEOPLE (Not for Publication)  
No. v.  
C028017 EDGAR RAMIREZ-CASAS  
The judgment is affirmed.  
MORRISON, J.  
We concur: SIMS, Acting P.J.  
DAVIS, J.

Juvenile In re SEBASTIAN M., a Person Coming Under the Juvenile Court Law.  
No. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
C029461 v. (Not for Publication)  
HELENA M.  
The orders are affirmed.  
MORRISON, J.  
We concur: SCOTLAND, P.J.  
DAVIS, J.